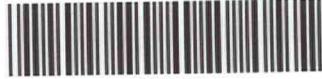


(3)

US EPA RECORDS CENTER REGION 5



515632

May 3, R.Tar

Stipulations : 8/23 case management order

- try to get as much as possible
- get a narrative stipulated to to obviate the need for a witness
- ES suggested that we meet w/ Weston to work out stipulations.

Findings :

- do a long history of our theory of the case
- we can stipulate but we

Depositions :

- McMichael off 5/15 at 5/15 5/20 - 5/21
- Scruton + Ryan 5/13 - 5/15

No Limine

- DH to do a list

Brief Issues

- GS + LT to do a list

Depositions (cont.)

Lin & Green → ? after 5/27

Harris ?? maybe 5/23 or 5/24 MN

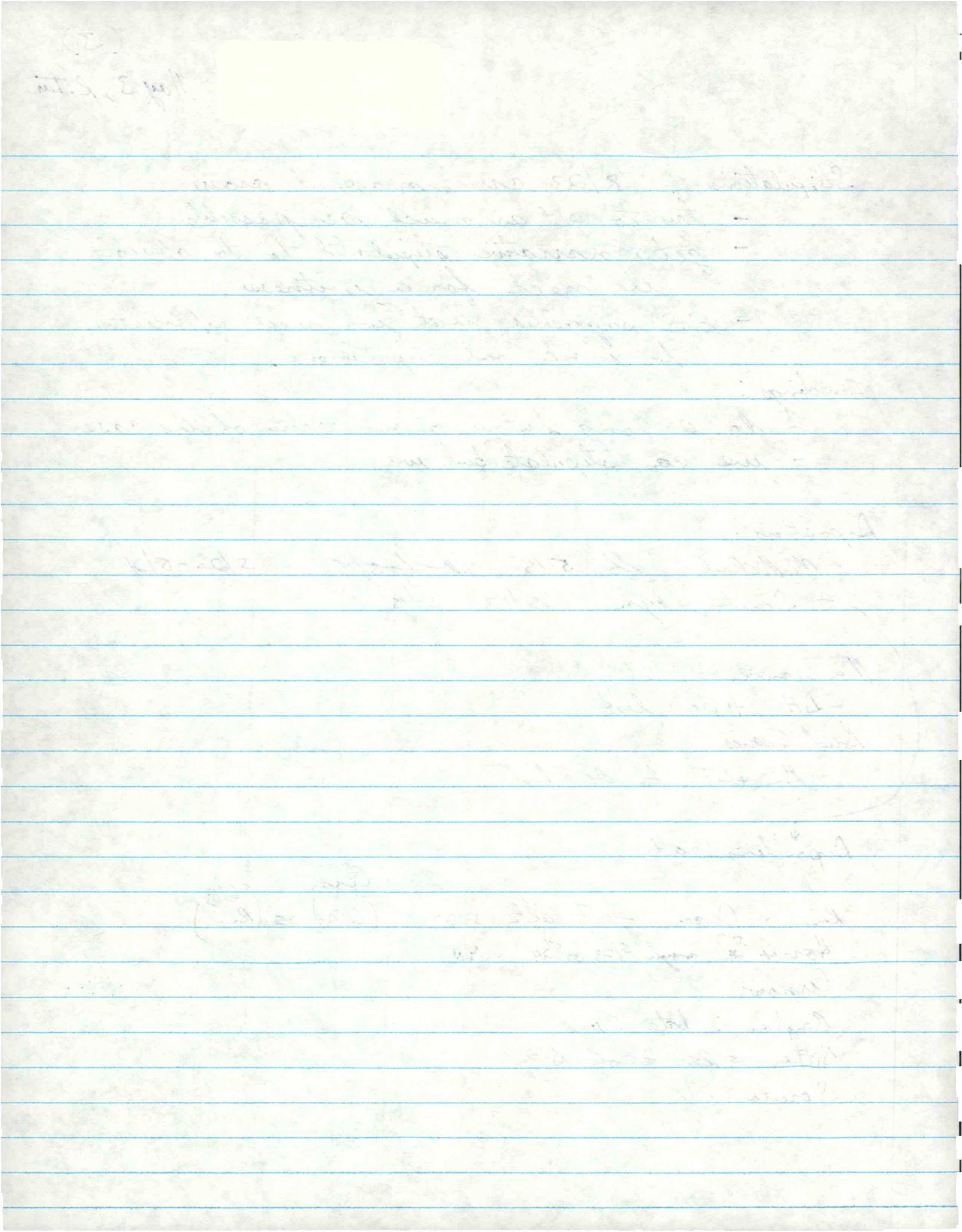
Cornow

Bingham : late June

Bitter → Rec to coll Batty

Scruton 5/13

Crum
(4/24) ~~6/13~~ (Rin?)



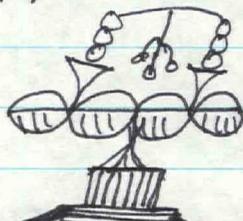
Pre. RT

carcinogen discussion

May 15, 1985

Reilly Tar

Day I



St. Peter ~~.....+====~~

Consent Decree review w/ RT

- p 28
- p 41 changed
- p 18: Arsen, quinone

May 16, 1985

Pollack:

- language issues are resolved except for future carcinogens
- they want to close w/ feds first on the cost issues

Re - spoke w/ Paul Bitter who said ~ \$100,000
in today's dollars

CM - Lester said RT will buy out the Hill K
for the RIFTS for design + implementation
of the GAC K \rightarrow \$40,000

RP - futures can be integrated into the deal
as a whole

\$3,000 FIT

850,000 base

18,000 REM

1,680,000 \rightarrow 85%

382,000 personnel costs

\$1,400,000

71,000 1/2 EPA payroll + travel

Spends over
2 yrs 4/0 is due

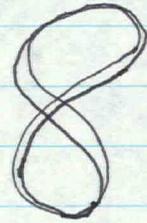
- CW: - told RT that we'd take \$1.7 million
- the signal is firm
 - feds + state have been too inflexible; congress won't let the fund run dry
 - costs to RT aren't worth going to trial at this point; Pollak should cough up the wh were told to BC last night; CW could talk to TR directly personally; maybe RT should not split half way; if they lose, they'll lose bad + they can't afford that. RT has to be realistic + hard boiled.
 - It takes courage. ; RT should go 7½ way
 - CW knows ~ what we'd take
 - BC: - tech people have concluded the remedy - state blew blow them out of the water
 - CW: this will settle go to trial over my dead body
-

\$1.6 w/future costs → R.Tax

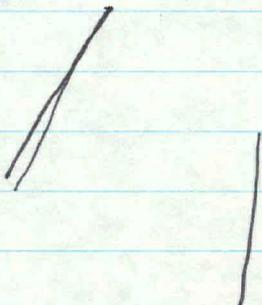
Greek



19



(post costs) \$1.7 million v/wt over 3 yrs
future") \$100,000 over 4 yrs w/o interest



- RT offer

- \$1,675 OK for RT if you own 5 yrs
of legal joint note will include future costs
- 5 yrs is a problem
- \$40,000 for Hill



\$1,715

- fed offer

\$1,650 past cost

\$75,000 future costs

\$40,000 Hill K

payments: 4 payments over 3 yrs + 1 mo @ int rate of 1%
\$1000 a week

R-Ter counter-offer

- 40,000 all

- \$1,675 in 3 ~~all~~ installments

1) \$559,000

2) 558,000 + just interest (659,000)

3) 558,000 " (608,000) 6/87
81,826 (incl interest)



\$1,650 in 4 installments

\$10,000 over 5 yrs



4
Leilly Tan
Soy II

Carcinogens

issues : - who @ EPT

- what is he doing in designating

- judicial review

- when do they become effective

- we want AA for OSWER in consultation w/ CAG
- criteria are a problem for new carcinogens
but RT feels that the new carcinogens will most likely be very, very weak.
it is inappropriate to put them right in w/ total carcinogenic PAH.
- RT wants the AA to have the option to set an individual criterion
- burden of proof : our standard of review is theirs
- when : groups 1 & 2 are consistent
overtaxed - #3 is theirs
- plan w/in 90 days
↳ is OK for R.Tan

1. Wetlands / n.r. damages release

- DOI recommends (June 30, 1985) a multibanded contaminants data survey + filling in as appropriate ASAP.
- R-Tar may want to have SLP go ahead + fill them in now
- what does SLP think?

2. Future Site Development west of Louisiana Ave: (11.4.3)

- submit a plan to RA + Director re: worker safety, soil evaluation + proposed plans + construction plan
- review pursuant to Part G of C. Decree
- ~~no~~ no conveyance of property w/o provision for compliance w/ this section

Interim Site Dev. Plan 11.4.1

- plan to minimize s. water \rightarrow g.w.; subsurface cont \rightarrow surface; need for excavation of contamination + to prevent such excavation from becoming a nuisance
- vegetative cover; direct runoff to storm water collection system
- submit plan w/in 180 days of effective date of CD to RA + Director + complete all tasks w/in 1yr if approved by RA + Director
- review pursuant to Part G of CD

Site Maintenance (11.4.2)

- SLP + HRA assume objectives of 11.4.1 (B) continue to be met + take addtl measures as req. by RA or Director if measures taken pursuant to 11.4.1 are not adequate

3. Part C (13)

- score up to "ss" \rightarrow RT added "++" + "uu" + "T" + "4"
- Garrison has a new draft (5-24-85 memo)
- Les Bitter reviewed "the list"

and a marsh. In addition
there is (or was) a narrow track
with many tall dunes.
A few small trees
and bushes are visible
but most of the area is open
scrubland. There are
several small pools of water
in the depressions between
the dunes. The soil is
very light-colored and
appears to be very dry.
There are some small
scrubby bushes and
trees, mostly acacias and
some palm trees. The
area is very flat and
there are no hills or
mountains in the background.
The sky is clear and blue.
The overall impression is
of a dry, arid landscape.

- ① HRA + SLP will go to the same area -
 - HRA only owns 3 plots under Ave + measured
 - boundaries can be defined. Ave + measured
 - no problems w/ this interpretation
 - each has their own office, etc. but not part of the problem
 - there is no office, etc. not part of the problem
 - so the C.A.

B.II Tots, executive director of HRA

Lis Thompson, DH, SS, Rm, downtown, B.S.etc.

788 2 2005

Ward 3

22

12

10

10

10

10

10

10

10

10

10

10

10

10

6/18/85

1.) Review of RT/SLP Agreement

- we need control of the contingency fund + to be able to enforce the agreement
- control of the fund + ability to enforce the agreement if RT goes bankrupt
- #15 : bankruptcy
- C is bad

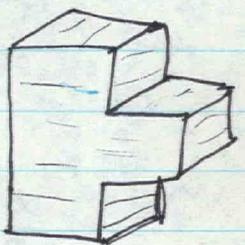
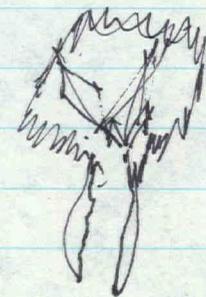
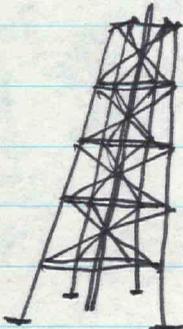
GAC, F-1 reconstruc^h

- #3 is in need of clarification (multi-agency)
+ is unacceptable on its face
- #4 legal process?
- #5 refer to § 3.2 of RAP
- #6 irrevocable trust fund : we want to see the document
+ "addendum" 000
- we want approval before disbursement



Meet w/ RD

105 Pages @ 100⁰⁰



28/8/13

transmitter antenna to receive signal

→ no antenna to receive from other stations



June 2019

Meeting re: matresdon

Stan Smith, Doc Team, F+ Wildlife / River, Sicks, Hrd, Maxwell, SS
Sutton

- 4 acres, owned by SLP
- RT / SLP agreement says SLP will do the work
- F+W could do the sampling for \$5000 / at least 90 day turnaround ::::



→ COE ←

↳ no problem

Cris Sears (SLP) / Beth Thompson (Poplars, Haik, Schubrook & Hdg)

- SW area has already been filled in part
- SLP is concerned about hauling in fill + then having to haul it out again
- RT work to determine the needs of #018 then to figure out between RT & SLP or to the allocation of such cost
- privately owned property is still a problem ; there is at least one private landowner & maybe more.
- they will have a conference call on Monday @ 3:00



633-4548 Cernak

414-857-2381

Stone Park Barrons 312-344-2340
8-5
9-12 or Sat
FH-CO

P. 81 and

Answers in well

22) ~~Answers in well~~ and ~~Answers in well~~ and ~~Answers in well~~ and ~~Answers in well~~

952 no more dense b-

Wells 100% ~~Answers in well~~ and ~~Answers in well~~ and ~~Answers in well~~

→ 300 →



Answers in well (452) was in

1826-128-11

1826-142-615 20010 1826-142-617

Review of Court Decree

B. Dates

- 1) USA and DOJ but they're still checking
migr. birds

C. Background

- 3-5) omit details of site purchase by RT
- 12) we're still reviewing this list to see if
it's accurate
- 13) add "Known To" does not include

and had to search
what?)
which was not the job I was given
I expected .
The morning day before this (2-2)
I was told to measure all the trees (3)
around the
"old log" it was 10m (1)

May 8, 1985
Feidly Tar Negotiations

Technical negotiations will resume on Monday.

- walk through of SS corrections
- RT did a definition of.....

Dof I : - they want to see the RAP

- the local DOT office visited the site + had concern with re to the effect of the swamp on migratory birds.

New carcinogens

- p. 18
- AA for Solid Waste + Emergency Response would be required to consult w/ the CAB
- RT wants CAB to conclude that its a suspect or known carcinogen
- we will float the concept by CAB
- RT wants a determination made by CAB

Financial Assurance

- a trustee fund established by RT solely to fund contingencies
- input over the first 5 yrs.
- RT will give us its net worth yrly
- " also say when its net worth ↓ by $\frac{1}{2}$

- | |
|-------------------|
| 1. Fin. Assurance |
| 2. Env. Insurance |

Assignment

- refer to the actual assgt + retain fed + state right to approve any modifications to the assgt.
- add sentence to allow mod to be approved by fed + state

382-7790

Overview

p. 3 : RT doesn't want to send its contractors to the C.I.

p. 7 : #11 is new but SCP & Hopkins haven't answered yet
RT will agree to a stipulation to entry of a judgment on RT vs USA to get a final decision for store decision

p. 8 : we need a final review of this list

p. 17 : Definitions : taken from the RAP

3 + 4 are at issue

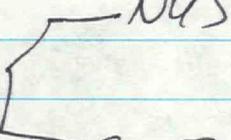
- DOI was limited in #11

p. 28 : Review of Submittals - new #10 to cover decisions w/o submittals, e.g.
(2.6, 4.1.6, "4.3.1b, 4.3.3(c), 4.3.4, 4.5, 9.4.1,
9.4.2, 10.1.4, 10.3.1); we don't want it to apply to "M"

(Grandeur)

May 2

(3)

FIT  expert Witnesses 23,385

E+S \$34,367 → ranking, every action, cost estimates, etc

REM: env. assessment for \$18,000

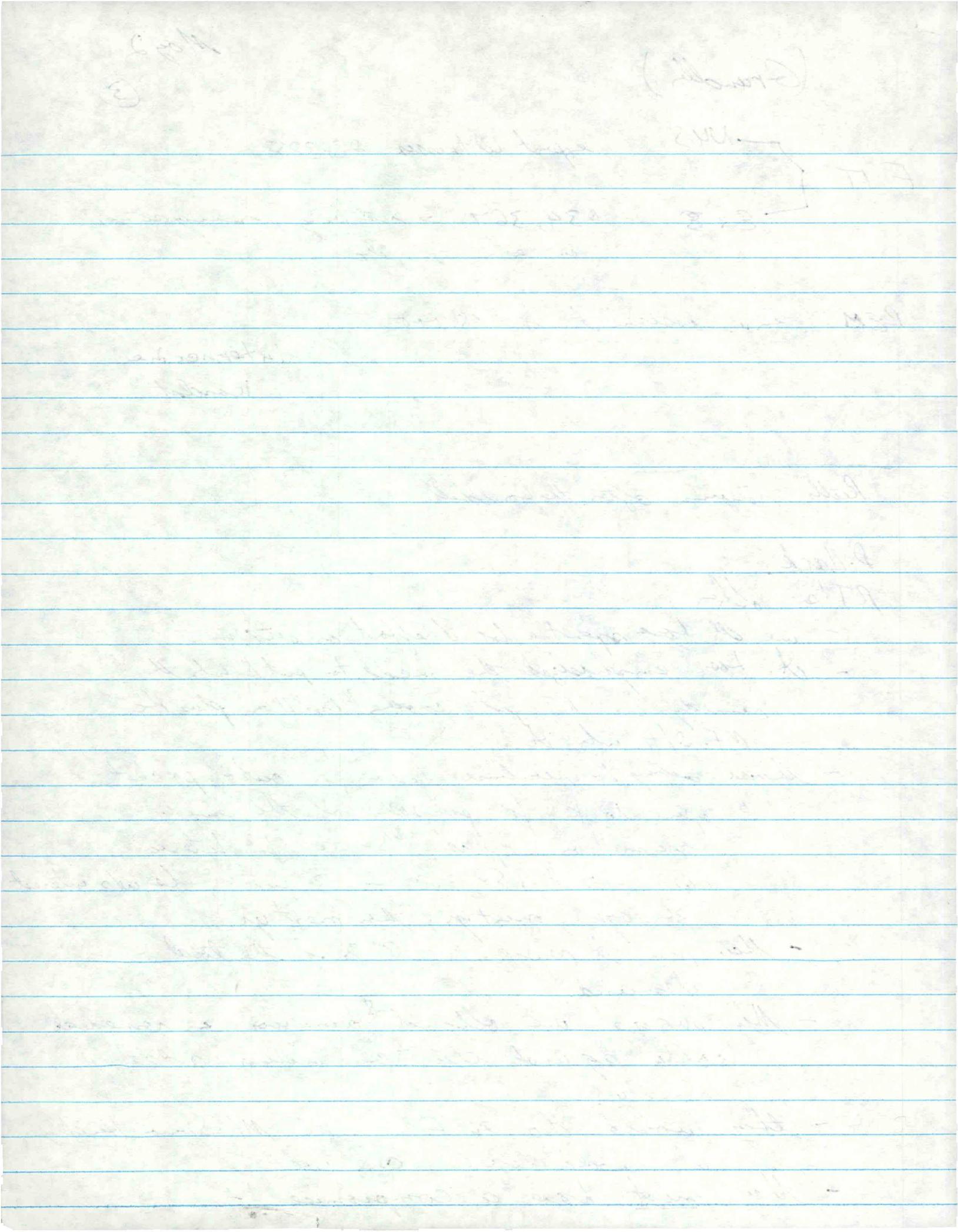
internecine
incident

Reilly returns after the bombshell

Pollack

RT's offer:

- we all have spent a lot of effort on settlement
- Ch. has emphasized the need to put \$ into the remedy: RT put another \$1 million plus the Mt. S/H into it
- they're willing to reimburse fees for out-of-pocket \$ spent to K for purposes of the remedy (\$one million) plus \$50,000 for future costs → \$ 950,000 in 3 installments w/o interest 30 days, next yr, then next yr.
- they say it represents 90% of the total demand
- they suggest we off-set \$1/2 million in remedial costs against their \$ one million add'l remedy
- they would do an ES for the Mt. Simon Hockley wh would require one well
- they must have a compromise



PLS mostly eat fish, salmon in deeper

Stark

SS < food people don't like off the
lighthouses. If would be super
of salmonella = that can
be infected.

LT \leftarrow pectoral muscle RT to body as no to last
AH \leftarrow common w/ SLP showing after the G+H
RT apollo file w/ SLP
RT/SLP surround. RT does GAC + GCA options +
in the RAP + deep the foot soft
shock may be suffering of sepsis condition. Thus

APA suggests possible report
in place in necessary of lighthouses case

of water
just drop + o.o. + off C.O. +
water to the body as a desensitizing
- he would be most w/ C.I. in especially
as normally but foot soft in the big toe
+ RT does the percutaneous test for soft
tissue no have been a long time

... sewage : some burning around
toxic effluents : we will obtain more info -

B. Edwards
April 14, 1985
Meeting with Dr. Michael Madsen

Pretrial Conference
Judge Magnuson
April 10, 1985

No formal agenda

- input on amended pre-trial order
- new trial date will allow the parties to work toward settlement
- he does not want to try the case because of his calendar
- all parties will be better served by settling although this may form some good guidance in the future if tried.
- resolve this case & get on w/the solution
- difficult type of case to settle . . . we have to have patience
- if we can resolve the remedial aspects then we have a real shot at getting through the rest of it
- DH: remedy is going ahead

MERLA: SLP OK?

C. Mgt. Order:

- stip facts proceed ASAP : not just juris, foundation of exhibits, but everything else that is not disputed w/re to the facts of the case ; could cut trial time by 1/2
- experts : testimony will segment ; i.e., rebuttal expert will immediately follow the affirmative expert

about 1000 ft. above sea level. The
country is very hilly and mountainous.
There are many small streams and
rivers, but they are all dry in summer.
The soil is very poor and the crops
are not very good. The people
are mostly poor and live in simple
houses made of mud and straw.
They grow rice, corn, beans, and
other vegetables. They also keep
small herds of cattle and sheep.
There is no industry here, but
the people are hard-working and
try to make the best of their
lives.

Aug 20 : 1952

The weather is very hot and humid -
about 90°F (32°C) during the day and
about 70°F (21°C) at night. The
humidity is very high, especially in
the evenings. The nights are
cool, but the days are very hot.
The people here are very friendly
and helpful. They are mostly
farmers and live in small
villages. They grow rice, corn,
beans, and other vegetables. They
also keep small herds of cattle and
sheep. There is no industry here, but
the people are hard-working and
try to make the best of their
lives.

5/17 OK

- 4/19 deadline for m / compel should be extended to mid-May (SS); NERLA liability is phase I + not res. dam is phase II
- experts: RT proposed:

7th Health effects experts but RT is switching Wilson for Havender

- 9/19 pre-trial JM said no parade of experts
- Wilson + Olsen for Smith (Biochemist)

- ES: agrees that the # of w is lengthy
Dr. Havender doesn't have the credentials

- SS: analytical chemists - RT said Dr. Lee
but now Dr. Mason Hughes for some
water samples even though we've
stipulated to them; ES → Hughes from
Monsanto Res. Labs to testify about D /
Platteville fingerprinting

- ES: if feds build the Colgan design (cost/effectiveness)
then maybe Colgan W won't be necessary

- JM: let parties meet to try to agree on
the experts

JM concern about "guts eyelash" depositing
of people; too much fine line in depositing

ES:

JM: Airline informally in 7/85 to get
a well reasoned decision.

- 8/9 status conf w/ JM + probably
an interior meeting this summer

Meeting w/Cinton
April 10, 1985

- 1) Tech experts + remedy
- 2) \$

DH: yakkish done meander, don't listen + sound as unreasonable as possible

CW: what is our basis for past costs?
Kaufman + Neffco

DH: see §104(b) " + to enf. the provisions of this act"
- settlement:

DH: CW: said JH is going to take a hard look at our ability to recover enf costs.

RT told CW that CAB should review our remedy to see if it's really that bad.

CW totally agrees w/ the remedy w/propos.

Totzke

Skip Powers, ISDH (emergency response)

- was called by Bowden today

- data sheet runoff 2 weeks ago (rainy)

Not ~~dry~~

- TAT ^{also on Friday 3/15/00 = 3/7} was set ^{who took samples + looked OK} - lost th. got results ↑ VOC

(Westin?)

- last

~~both~~ Friday looked again to confirm data + resolve
the problem

- Bowden was requested to drive today + will do it tomorrow

- tells w/ Bill tomorrow

Error Action Plan w/ scope of work + cost

- then action items

→ VTA signs off on it

Vol was briefed this AM

Margot McHugh

the approach was HVT, with a P
that had been -

long of myself I am the last
of what + anyone don't do too many + A few
HVT meeting it stand

to open + close under a loss before getting to the
close

want to know what other sub categories are + does -

Want to know what -

do what specific affect on -
an action with -

below the right and -

and out at that -

MA all went over to V
with respect to

April 3
Brettigan/Sopham

SS, DH, EM, WP, Rx

1. our position w/rte to Rule 68 + the cw meeting
2. SLP position w/rte to contingencies is that it has problems w/ anything other than 50/50 after capital phase
 - \$300,000 is no go but U+M is OK if R.T. pays for 1/2 (see pp4+5 of RAD)
3. Wayne's suggestions, weak willy, other major settlements, stubbornness

and the other day I had to go to the library and
borrow books so I was in the room for a while and I
had to wait like 20 minutes for the library to open
so I just sat there and waited and I
wasn't allowed to go in so I just
waited outside until it opened and I
got my book and I went in and I
got my book and I went in and I

Billy Tar Issues
April 2, 1985

1. effective date of release
 - RBS position is no release per se'
but a resolution of the case
 - consider the legal effect
2. release of other claims:
 - OK w/ Region II w/ qualifiers as to
the extent administered by U.S. EPA
(see e.g. §311 + §404 of the CWA)
3. reopener
 - does not resolve "unknown releases"
 - unknown = undetected pollutants or
migration or scientific premises
4. duration: 30 yrs minimum, then RT seeks
certification
 - relates to jurisdiction of C. Decree
5. joint approvals
 - RT wants it
 - we should say delay = force majeure
6. new carcinogens
7. standard of review
 - we want arb + capricious standard
 - backoff: clear + convincing evidence
8. post costs
9. future costs
 - consider a cap (OK)
10. partial settlement

April 22, 1985

Reilly Tar Negotiation
Meeting w/ R.Tar

Popham, Pollack, Constock, Hud,

Grunder, Fleuchaus, Shokman, Tiege

- work off RT's Rule 68 version # by #
to see different in revisions

✓ B. Parties: SOT is probably ok

✓ C. Background: # 3, 4, 5 are new; #12 we haven't checked the list; #13 DH's language needs to go in, is USGS broad enough for R.T.; #14 is still open (RT wants more gen list)

✓ D. Purposes: - final # scope should be clarified to be limited to RT's liability

E. Review of Submittals: time frames may be too short; joint approvals; standard of review; doubts (6); (7) is unacceptable

F. Solution of Disputes: much disagreement

H. Creation of Dangers: last sentence

K. Payments Upon Failure to Perform: dispute on # amount; and # is a problem

- O. Assignment: may be a problem to make the assignment an integral part of the C.S.

P. Payments by Reilly: separate discussion

Q.S. Releases + Covenants Not To Sue: many issues

X. Financial Responsibility: disputes

Z. Duration: at issue

L. Delay: failure to respond ≠ approval

2891.00 Total

Intergal not great
not fit to get off

but standard bullet, may fit
slight, standard market.

But I believe 80% of it still off. There is
however no benefit as it

rocked up a lot. In fact I

had a 610, was in 70% standard. It

it was impossible to grip; feel at times

it like that you had 20% in grip

(like as one time I) grip this in

standard bullet when what I expect a

bullet is to fit in it.

I found however that I standard bullet is

indeed better in that it averages to grip

standard bullet 10%

average hand; I expect a standard bullet to

handless hand; expect to hold it.

However I expect a standard bullet to hold it

handless hand.

It does not hold it when I hold it.

A standard bullet is to grip.

April 22,
Rilly Tan
Meeting w/C. Winton

Hotel?

6:00

B. Parties: add

C. Background: # 3, 4 + 5 OK as is needed; # 12 fds
- Pollack agreed have to review the entire
list; OK to add the 5 additional studies in RT's
errata list; discuss #s 13 + 4 w/rebox language

D. K. Payments for Failure to Perform

- Lisa's restructuring.

L. RT wants a single response



Could we agree to send a letter
saying we disagree + by separate attachments
if there is disagreement.

2891 (S.S. S.)
2750 ft.
at 10.00 sec.

has what I
think is 245 ft. I thought I
could get more out of the top half
but it was all the same at 20; had
enough water & I'll leave it alone

water level at 20 ft.
water level at 20 ft.

and you always know T.S. I



April 23, 1985
Reilly Tar
Negotiations: Day II

Winton, Pollak, Comstock, Shatma, Tiegle, Fleuchaus, Maxwell, Hird

- 1) Review of RT's "I" Res. of Disputes
 - what if no parties petition w/i 30 days?
 - standard of review?
 - 2) " " " " " F " Review of Submittals
 - joint response if they agree to the response
 - if they disagree they respond separately
-

F.

- 1) use of "joint" is a problem;
 - 2) omit ¶ 8(b)
 - 3) 2nd sentence of ¶ is not OK
- 

B/P + S of Review :: RT will take B/P

- D if don't leave joint & disagree w/ each other
- RT ^{must} go ahead w/ the rest of the C.D. if there is a dispute
 - joint can ~~join~~ go ahead \rightarrow wait for release language

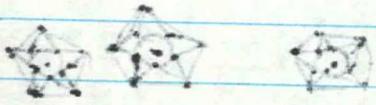
289, 2.6 May

at 11:45

May 1: 2010

with obviously increased flight activity, probably due to winds.

Surface winds strong to 10 m/s
Sudden burst of wind speeds up
immature eggs with broken tips
Strong tailwind upwind of 10 m/s

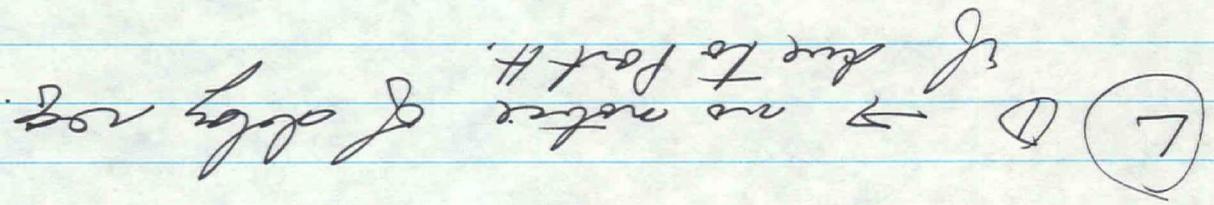


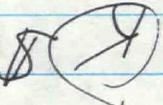
• ~~|||||~~ No less than 10 m/s wind and birds

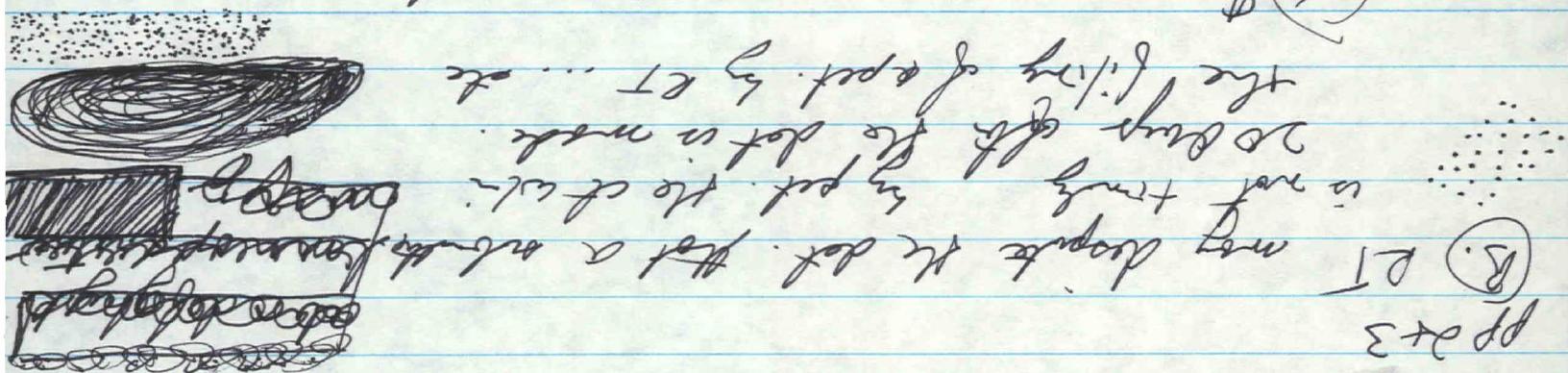
Worst wind: 10 m/s + 9.8

Wind speeds up to 10 m/s
and 10.25 m/s recorded in 2010 -
this is much higher than previous

as in cut

⑦ 

2005/028 See by 2005/028 See as 



PP 243



4.23.85

2

↓ my

D D ↓ we left
in water & eggs

Rip & we had

to go to

the



4.93.82

131

Fed Offer

RAP

- HAC in SLP 10+15 (~~4 mos~~)
- gow system in drift/Platteville, ADC/Jordan, I/G
 - well abandonment
 - monitoring of D/P, St. Paul, ADC/Jordan, I/G, Mt. Simon/H
 - contingencies: HAC for Mt. Simon/H, St. Paul + ADC/J if dw criteria are exceeded
- Drift Platteville action level = $10 \mu\text{g/l}$ total PAH or $\begin{cases} 7 \mu\text{g/l} & \text{phenols} \\ 100 \mu\text{g/l} & \text{PAHs/Billion} \end{cases}$
- other action level = 28 ppt ~~total PAH~~ carcinogenic PAH
300 ppt total other PAH
 - fencing + deed restriction for soil contamination

Court Decree:

- disputes: RT has 10 days to apply to court for review of fed/state submitted charges + other tech. disputes
- step penalties: \$6000/day for 1st 30 days + \$5000/day beyond that
- delays (face meager) \rightarrow OK if fed + state wait to give more time
- \$10 million per bad
- RT holds fed/state harmless from RT actions
- reimbursement of expenses
- ~~RT cov.~~ not to sue under RCRA + CERCLA for known problems

Department of Paul Bitter
March 26, 1985

- requested his more detailed resume'
- other cases: Wayne Wash Oil, Cal. Containers, Acme Solvents, Wauconda Sands & Gravel
 - may be some soil PAH
 - gov cont.
- fall of 1981 assigned to R-Ter
- worked as OSC implementing SF + following the NCP
 - + guidance memoranda re: ROD's, RI's, CA's
- FS guidance is being developed
- requested guidance documents be produced
- resp for prep of ROD

Exhibit 624A is Rod E. Summary

- Brent Bixler gave PB the guidance for ROD preparation
- Saltink reviewed few aspects of the ROD
- no prior PAH or multi-equif. well experience but prior experience w/ d/w methodologies in school

Def. process privilege

- 1D individuals involved but not specific contributions: Rec, DH, Hill, Neal
- PB had conversation w/ Harris + one other person who clarified cost estimates w/r to treatment options
- let PB answer w/re to assistance | evaluated by Hill

LUNCH

2

Exhibit RTC 624

- p. 6 of ROD: dw criteria for PAH
- 95% confidence level
- PAH in finished dw have been identified but he doesn't recall now.
- PAH at wellhead: 2(a) a benzene, dioxane, benzo fluoranthene
- 20 - 60 or more ppt at the wellhead
- Doesn't know anyone who has a professional opinion as to the length of time for BOP to go from W-23 to SLP/510 or another well.
- 280 ppt for "other PAH" + PB's concern is w/ "others" prioritizing the carcinogens

EXHIBIT RTC 626

- memo from acting Lead of CAC to Aedenan (4 pp)
- 1980 criteria doc only covers carcinogenic cmpds
- bottom of p. 3 0.3 mg/lb of fluoranthene is EPA standard = enough or 200,000 ppt
- 280 ppt may be consistent w/ p 3 & 2
- 280 ppt based upon health based criteria alone can't be totally justified, but see pp. 7 & 8 w/ tie ratios + background
- not sure of EPA's position w/ re to .
- present analytical tech is better than in 1978
- - it's less of a concern now that we can better quantify dw wells
- ↓ - toxic mass lower risk w/ re to carcinogens which is what he meant

- tumor promoters' impact @ SLP on carcinogens @ SLP is not quantified w/re \rightarrow 280 ppt
- mutagens \rightarrow lot toxicologists define, PB would define it as cell alterations wh causes it to function differently
- 10^{-6} decision made by Lee Thomas
- 10^{-5} was state level
- recommends a target of 10^{-6} .. . better reason of the ROD
- 10^{-6} is EPA policy wh he doesn't know whether its published, or when or how it came about
- Exhibit 626 , p. 3 doesn't say what level of health risk it's referring to

Exhibit 623 : 11/19/84 DRA doc re: ACL's

Deposition testimony w/re to 10^{-6} risk level as EPA policy, explained Woronoda Sod & Gravel

- ROD says on p.7 41 says 10^{-6} is preferred if tech. feasible

Ch
Depo

- his prior work was a plan report where toombest a concentrations casing GC/MIS report was referred to as the 1305(6) report to Congress; his role was overview of the Regions.
- OWPE: regional coordinator for Region V; resp. for the mgt. (along w/ Howard Beard) of region V cases; liaison between his office director & Region V; guidance on enf. policy; tech support to civil sector; submit participation, budget & planning w/ region; coordinate w/ O of E^{rm.} response; Tom McGow is acting AA; office dir is G. Lauer
- tech support necessary: prepare w/ for dep., lab. strategy, etc.
- new data are in STORET not 'I' database from his earlier work
- STORET data is composed to ambient QP cutbacks
- he only handles SF sites (since 8/83)
- his involvement is 1° w/ enf. bad sites (bad bad only w/ re to enf issues)
- almost all of his sites have detected PAH; Clon-Dyne, A&F, Seymour, L.T.O. he has worked on, PAH's at virtually every NPL site also Berlin + Fano,

$$\sqrt{4x^2} = \frac{\sqrt{x^2 + y^2}}{\sqrt{4x^2}}$$

$$x\cancel{4x} = \frac{\cancel{4x}}{\sqrt{x^2 + y^2}}$$

$$x = \frac{1}{2}\sqrt{x^2 + y^2}$$

Exhibit RTC 622

- interrogatory #3 to US
- attachment to the U.S. answer shows
- decomp book of 5000ppb soils

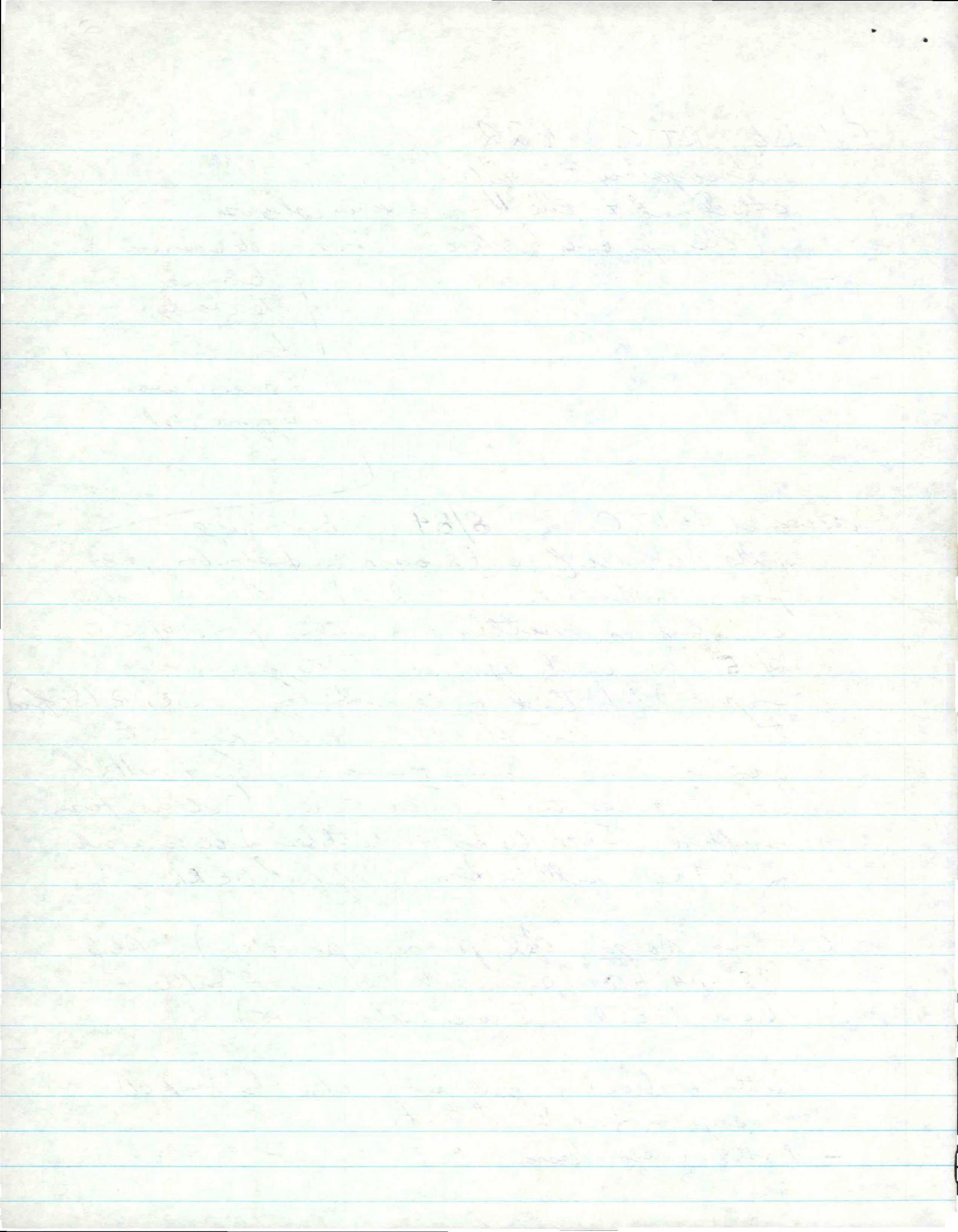
the reason was...
because...
to clarify...

it must have been...
it probably was...
& suppose that...

- assigned to RTC in 8/84, beginning w/ the AO conf. in Chicago in September; no prior involvement (incl. ROD); then generally involved in settlement matters from 9/85 to 2/85 as well as lit strategy, hiring expert W for trial & coordination of OERR (SF bid) to ensure that the RIFs & drinking water projects were moving forward; spent 11/3/85 his tenure on the R. for case; letters from his office Jack Chao & Kathleen Sellers work on RTC; Bill Hedeman, chief of OERR;

- US vs Morgan (det. process privilege): ROD US EPA HQ personnel involved → Brent Bixler (EERR), Sharon Foote (OWPE)

- Bitter & Gundersen will testify w.r.t. to the ROD
(says on fact W statement)
Colgan design; ERT comments to AO
- 1/12/85

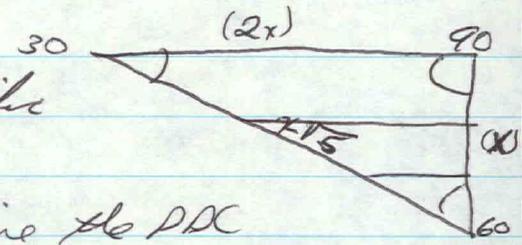


- It's also said PB + CG will testify as to the selection of the remedy; CG said he can testify as to the process which is ~~in the~~
- EPA applicable guidance is 6-84; he doesn't know what policy documents were applicable at that time
- D/P agency: EPA + state are conducting RIFS for this agency. Rine, Simonette, Bith, are directly involved; further samples being taken to better characterize D/P north of the site (done by C.H. Hill & Comp, Dossen & Kree)
- St. Peter: more data are needed to see pollutants + cont. which may have migrated to the St. Peter from the RTC site.
- P. D. Chiar / Jordan: ^① new system to prevent further migration + to mitigate cont. in the present ^②; one of contamination + would consist of ^{pump} wells which would control the hydraulic gradient + the plume's migration + was set forth in the RAP of 11/84
- SISW areas of the PDC ^{plume} need further characterization; also need to determine water disposition
- PB, MS + SR are making the decisions
- RCRA gov protection standards are applicable (max. cont. level); AT for SWERB would decide level of cleanup

- CG won't be testifying on the specific details of the remedy

- PB, SR + MS made decision to define the PDC plane i.e. above background

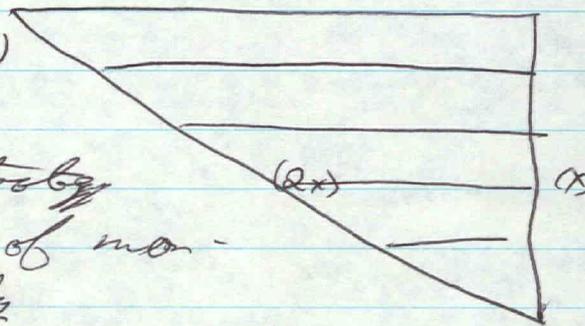
- split samples



I/G : source control (pump C-105)
+ monitoring

- discussed in EST gw prof today
wrt to the issue of use of non-
potable water wrt to remedy

- gw standards under RCR of part 26C1



LUNCH BREAK

$$\cancel{4x^2} \quad 2x = \sqrt{x^2 + y^2}$$

$$2x \sqrt{x^2 + y^2} = x^2 + y^2$$

- remedial measures w/ respect to Mt. Simon / Hawkley : no data wh suggest it is contaminated . . . PR, MS & SR suggest to continue monitoring
- remedial measures for surficial contamination peat bog (S+E of site) & residual cont. on the site itself (SCP already has done some capping) . . . deed restrictions ; EPA's made no formal determination on the remedy for the bog yet but the scope of work is to Hill & CDM to do the work
- cooperative agreement was changed from state lead to fed. lead on the RIFs because of over 30% composed to the state's competitive bidding process ; CDM is also a 30% contractor ; see #1, 2, 3, 4 + 6
see #2 is 5, 7, 8, 9 + 10
- handing RIFs work out to Hill ? \rightarrow ask Bitter ; Bitter has work plan now wh has the schedule
- ch 15 of the Mercer expert W statement \rightarrow fact w' sheet ; CH incident where was a/re to the contracting ; Mercer was asked to evaluate the T's 11/84 gca system
- EPA has not made a final cost effective determination for the overall site remedy or as to the RIFs

EPA trial remedies

- CD would ask Magnuson to allow the finish of the RIFs'
- Framework for PDC is gw system w/more detail closer to trial
- EPA objectives: to officially mitigate the contamination in the aquifers & control their migration because we're directed to do it by Congress
- Fund financed actions have to be fund balanced
- private party cleanups ... ?
- we also look at reliability + other
- Mercer's testimony + report: SN, PB, HS, SR

EPA's gw standards for SLI

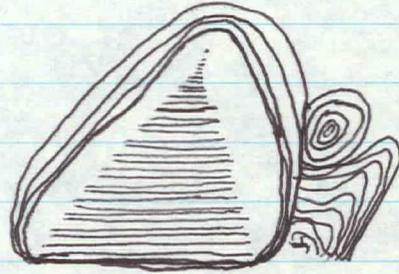
- 264 of RCRA says gw or max. cont. levels set forth in the regs
- ACL's are limits wh may be set at the property boundary @ the uppermost aquifer & are set by the RT under RCRA
- RA has not established an ACL for the RTC case
- ACL guidelines aren't published but one in the above development

Exhibit RTC 623

- copy of BNA Env. Reporter wh says that permit writers have wide latitude (1/10,000 to 1/100,000,000 risk) in setting ACL's; also memo of Lee Thomas re: ACL for Int'l Paper Co. 11/19/84
- EPA may set an ACL for SF sites
- ROD specifies a technology rather than specific levels

Exhibit RTC 624

- p. 7 of the ROD, #1



- ACL's aren't used for finished water
- 2nd column refers to RTC + compares it to the F. Paper case
- p. 66 of Marvin's report refers to total other of 280, total conc. of 28 & BOD of 5.6 wh isn't EPA's criteria but will be decided after remaining investigations
- CAC said DAC was to reduce contaminants to ~~constant~~ levels below det. levels at SP 15/10
- we approach these on a case by case basis + it would be foolish to have nationwide standards

- BAT was used as the ~~old~~ criterion for this ROD; the 180 CQC documents used to see what thresholds were to determine the decision marker
- p. 8 says other sites ~ background
- CG also relied on discussions w/ Bitter
- Proposed revision in the NCR 300-6.8 ~~log~~
out Low LOS's must comply w/ the reg. stat. dev. criteria to exceed acceptable fed resp. standards; RCRRA gov prot. standards might be applicable, also the 180 PATH criteria

Exhibit RTC 625

- 6-15-81 Document (decision memo from WIA to Acting CG ~~notification of it~~) AT of OSWER re grant of soft stake lead SF projects near state line to lead for SF

Document : RFRA 12-18-84

- exhibit C sets forth dev criteria: 280, 28+5.6
- were introduced at action levels by feds in the context of sellout negotiations

- NCP is ...
- best suited for the P&D in case of emergency

End

Harris Deposition

1. Reserve all objections for trial except as to form of the question or privilege: vague, compound, misleading, atty/client, atty work product
2. Privileged: questions concerning trial strategy, i.e. the attys' thought processes
3. Review of "GW Treatment + W. Supply Alternatives"
 - a) history:- plants - 1932, MDH + SLP monitoring in '60's + '70's
 - mid '70s MPCA + MDH became concerned about PAH's
 - 1974 Sende (SLP contractor) recommended well closures
 - 1975 Ben Eng (MPCA) said soil + upper aquifer are lining lower aquifer ∵ gcw system
 - 1978 MDH → HPLC ∵ closed # 7, 9, 10 + 15
 - 1979 SLP # 4 closed
 - 1981 Hopkins # 3 closed
 - 11/81 Hickok report → 3 gw alternatives
 - b) purpose of the study: ~~fill in data gaps~~
 - 1) determine available PAH removal technologies: who? how?
 - 2) fill in gw data gaps: what?
 - 3) determine efficacy of existing system in PAH removal: results?
 - 4) determine w. quality in nearby communities for "background": results?
 - 5) determine which technologies can remove PAH to level of 28 / 280 ppt by doing bench tests: why not PAC? why 28/280
 - 6) evaluate op+mi + capital costs of acceptable technologies + select the most cost-effective technology
 - 7) conduct pilot-scale tests + formulate design criteria
 - 8)

1. What caused MOH + MPCA to become concerned about ATT's mind '70s?
2. What areas is ATT not qualified to answer?
 - analytical chemistry? e.g. do HALC say good?
 - gw modeling? e.g. Committee Hults vs. ERT's model
 - gw contamination sources? e.g. Did RT cause the Hopkins well
3 problem?
 - gw flow dynamics?
- - historical facts? What about RT's operators? SLP's operators?
3. What does he think of validity of 28/280 ppt?
- 4. Why were there discrepancies between the first on-site test of the SLP system + the bench scale results
5. How did SLP compare w/ other communities?
- 6. Why do the purposes on pp 1-4 + 1-5 seem to be said twice?
7. Why look for "background" if 28/280 ppt was pre-determined?
- 8. Explain rationale for "Round 1" of the bench testing
9. GAC was selected for cost + technological reasons: Explain
- 10. How was design capacity determined
11. Explain why GAC is deeper than look up to MN water or new wells to Mt. Simon / Hinckley
12. Why not try the non-ionic resin?
13. Explain further the reason for rejecting ozone w/ U.V. + reverse osmosis (too expensive)
- 14. Why was "background" topswater higher than treatment plant effluent?
- 15. Can the high levels of DAH in the stormwater runoff hurt us?
- 16. Is high dose long duration a valid screening technique?
- 17. Explain basis for 800 gpm design flowrate (see G ~106 of ERT)
18. What does ERT have to say about the PAC problems raised on p 2-5 + 2-6 of the Hill report?

Poco later.

8th Street

Harris deposition
3/18/85

1. methodology for low level PAH analysis may be questionable but is ~~not~~ good Harold Cole
2. definition of PAH's does not include nitrogen or oxygen heterocycles
3. reviewed documents where to MIT produced to RT:
phone messages, docs, etc.
4. RT results are consistently lower than Hill, but see #1, above.

David Hurd: phone call

- 1) fluoranthene is a weak carcinogen
- 2) Crown found B(a)P in the backwash 1/10 ppt
17 ppt of chrysene, B(a)P through existing system
- sand filters
- 3) Pollard letter: RT can maybe unable to respond
w/i 10 days + request a stay until
after trial

Don Hornstein: th to RT saying we will go ahead

3-19-88

Despatch of
Mike Horne

Sabres, Constable, Custer

3-19-88

- review project files & refurbish & SS & speak w/ Harold Cole,
Schultz Party & Steve Glenna
- discuss and brief w/ Cole
- running procedures used Con-air pilot plant w/ Henry
- Glenna: reviewed some of the back track test work procedures
- Cole was contacted directly who did all SS/HS
- Henry was on-site for pilot plant @ W-23
- Steve back track & lead setup pilot plant
- John Flesion in ultimate search
- Carl Hammann was senior reviewer of back track
- Tim Horne
- Matt Long: back track test work
- technician, word processor, etc.
- HT was project mgr, responsible overall tracking of
project, all project correspondence, NCA,
mechanics, etc., review all documents, newsletter &
budget
- Exhibit A: Horne's resume
- current as of a few months ago
- last few months his work at other clients
 - + got a promotion as controller, exp (29 states)
 - + also exp. now for oversight work in Legion II
- in SF + HW area:
 - + some projects in works
 - + w. systems gr. Kansas Wellfield in South Bend, IN
 - + where he did QC for Fossils FS
- other projects including SW systems - no
- Horne: contracted on site from one NCA's

- personally involved in other projects after the first plant
→ not that he can recall
- Varona: spring '84 started
- No prior HAC work except one to Verona, where PAC was considered
- other projects have consulted with him, in the Montgomery office + Rick Dorst from Denver, Doug Christensen from Boise, Cowdier office; do PAH's agree to HATX at RR car cleaning facilities at different locations water, solid waste + cleaning emission from terminals. ~~needed~~ → HAT was not on issue of HATX
→ 1978 to present; oil water separator, HAC, PAC, activated sludge, acid cracking + recommended HAC only as a potential future add-on option; PAC or HAC
- Ch. H-Hill has done other PAH work on private work at ~ 50 other SF sites incl. Laramie, Wyoming
^{private party} (Union Pacific) + 4-10 other wood heating sites (private clients, not SF sites) → containment & cleanup of spills
- Hill has built SAC treatment plants, but not MH
→ PAH wasn't a concern there
- MH not personally involved in the design of another SAC system
- personally involved w/ sand filters for a factory in Wisc (prel. review of feasible treatment alternatives) → metal contamination; ~~test~~ + soon
→ middle of 1984

- 10/82 to 7/84 supervised all of Hill's mid-level planning work = 1st 20 mos in his 2^d paragraphs of p. 2 of his resume; late 82 to early 83 the lots 70% of his time w/ project work being the rest of his time.
- he visited the SLP treatment system a number of times, reviewing piping, spacing, etc. (5-10 visits) from late '82 to mid '83; never looked inside the sand filter; never visited other facilities
- Vern Tolufson + Dick Koppy met w/ Harris + at ERT, GSOS, etc + discussed overall treatment aspects throughout the course of the project
- SLP sent sketches + drawings of the layout of SLP 15
-

Exhibit B : 8-18-82 draft contract w/ MPCA to fire Hill ; minor changes in final

- Hill under the contract was to consider gw treatment options + lots geared toward SLP drinking water; scope was modified by letters between Harris + Harsel ; did not know the specific content of the other projects
 → the procedures followed were along the FS lines + it turned out to be a FS but they did not specify as much
- standards were given to Hill by MPCA
- he does not do endanglement work
- the overall RIF process less on end. assessment

- K said PCA would give treated gold + MTH never asked to see the background documents regarding them; Range of 2.8 to 280 for carcinogens + 1 for "other"; early on it was 2.8/280 during K development.
 - 28/280 was used for pilot plant + treated alternatives (PCA said don't consider the other numbers - prior to setting up the bench scale testing work)
 - PCA gave MTH a list of compounds which were "other" & all were carcinogens in the RFP ~~data for~~ carcinogens; "others" was ^{developed} ~~used~~ in the validation study
- ↓
- of
- prior to K award when PCA was evaluating Hill proposal, Hill did some validation of compounds for which there were no standards
 - look at Hill files to Bitter → Cole → PAH
 - prof. of validation of the Cole analytical method → ~~PAH~~ proposal
 - all
 - documents for "other" PAH → PAH C in the Hill Report for Emissions list of PAH's which is Table 2 on p 20

Exhibit C

Exhibit C

Hill's final report (appears to be complete)

~~Table~~

Table 2 on p 20 of 28 is Foerst's list

- on p.2 of project chart H (Tech memo) for costs wh are conversion, the rest on p.20 are "other" costs
- 28/200 was used at time of issuance of the report (11/83)
- CH 17-Hill has never been involved in altering or evaluating the cut-offs
- Bitter asked RHT to evaluate other goals for the ROD (2.8+28 for c; 280, 1000+ 4000 for "other") in mid to early '84 during preparation of the ROD ; the work was done by RHT + Roberts Perry ~~under the existing terms of RHT~~ for free as a personal favor for Bitter
- ~~RHT~~ ~~had~~ reviewed back scale ~~of~~ results + compared diff treatment alternatives w/ Tech memo # I ; prepared prelim. cost estimates for the different technologies ; no report or document ; just telephone to Bitter
- oral report to Bitter stated assumptions were to treat all goods , explained earlier procedures + then gave PB de capital + O&M cost breakdown
- Check w/ PB to see

- Check whether Harris notes are available (including calculations also done to the work for Bitter)
- looked at HAC, ozone + ozone/UV
- scaled up estimate from 800 gpm to 1200 gpm because final report said 1200 gpm @ SLP 15
- PCA said evaluate 1200 gpm year round to obtain a comparison of other treatment alternatives
- PCA said that the two wells (10+5) could achieve up to 1500 gpm yr round
- MHT scope of work did not incl. evaluation of whether SLP actually needed 1200 gpm
- 1200 gpm was a reasonable number for comparison based upon SLP's need + the available capacity.
- MHT told Bitter that lowest odds of 28/280 → HAC; if told "other" was 100 or 4000, then ozone alone was OK (containing whether 2.8 was the denominator in ~~cost analysis~~ were the least cost available but provide, ~~no~~ ozone w/UV
- PAC was not ~~also~~ discussed w/ PB because OEM capital costs were > HAC based upon discussions w/ Carl Hananah
- MHT will fully relate to this
- Sls MHT, thru Robert Berry
- 3 to 4 share converter w/ PB as treated gpm 1) PB wanted to assess the cost of treating for various gpm (per cost estimate) + MHT said OK, but quiet per. based upon

- But if lost -

- HTL and one PCD default
outlets

- The outlet will be controlled by the user
selected during download of ATAC drivers
This is the correct address (from configuration)
The PCD will ignore the RCD (unless it has been
selected through ATAC + default port

→ All to configuration and ground

port of parallel

→ now to choose a function -

in case connection of C/F connector
(to the ~~control~~ monitor mode)

correct (connection of 9-11-84 wires)

- PB+PAH and power must be connected

- Parallel user port located in PCA K

- access of parallel printer

- PB port "A" drop "A", user port access

pure serial

- the measured AAC for 2.8/380 of PBB due to
the PBO (as shown as in this report)
- carbon life in the PBO for 2.8 as measured
carbon, which are connected by:
soil/greenhouse gases emissions in part
as well as the carbon sequestration in the
soil to the atmosphere; 1983 carbon sequestration
was to be updated to 1985 to the present
years to be updated to 1985 to the present
- access
- 280 "etc."
- can be produced to be used for the upper portion
moderate influence by PBB if set to be measured
- complex interaction of 2.8 could be measured (WII > PBB)
- AAC does not guarantee the result (WII > AAC)
- carbon sequestration of 2.8 could be measured (WII > AAC)
- (lot of them)
- carbon sequestration of 2.8 could be measured often
- AAC due to the option would be independent of a carbon
- option
- the case where the AAC for 2.8 could be measured
- the result
- Hill does not have a shadow of the option
- a separated place which can be damaged to itself
- it could go in the middle option
- the doors for 2.8 + 28 would be opened in
differently

Exhibit B, p. B-9

see page B-2

- purpose of monitoring well 13 was eliminated off the 1st round because further monitoring will be covered in the source control study
- purpose of K for W-13 was to determine whether the 2-phases could be separated & the free water phase be treated
- conceptual design work on W-23 or W-105
~~for~~ for pilot plant on W-23 at rough estimate due to scaling up: estimates of costs & performance were extrapolated based upon 3 orders of magnitude lower water conc. (per to Hansel in Spring/83); ~~estimates~~
~~cost~~ - pilot plant never was done
- page B-4 Task F: bench scale tests on PAC, PAC but not reverse osmosis or ultrafiltration due to high costs of such technologies; Activated C1 oxidation, FeCl were all tested w/
 bench scale; GAC was ground up to do
 PAC isoforms; Bench scale test of ?
 PAC would be identical to PAC except for —

Exhibit C

- Final report was based upon modifications to the KGS modified
- page 1-3: modeling efforts were not used
 by Hill except that a model said, in mid-83
 that SLP would block wells 7+9

Exhibit D (Draft of Vol 1 dated 6-10-83)

- at least verbal knowledge that 15 would help 7 & 9
- modeling work was not necessary to corporate technologies
- never discussed modeling except in a general way in APCAT

Page 1-4 ~~#3~~ bullet was added to compare w/ ~~the~~ goals of SLP & other communities (Hansel selected sites)

- 4th bullet treatment goals
- in early 83 a public meeting was held at Tech Park and showed that 28/280 were comparable to surrounding communities.

Page 1-5 (top)

- WQ & quantity goals (ie. all the SLP water is equally good)
- 3rd bullet
- 2-8, 28, 280 ergonomic considered pre-K but 28 ppt post K
- K4 doesn't know why PCAT would be cost-effective analysis
(last bullet)

Page 1-6 #3 (Hill recommendation except for flocculation which was suggested by ERT)

- efficiency of iron removal plant was >86% in 9/82 + (>20% in December)

- long-term nonoxidative iron removal system is probably due to sand adsorption which hasn't been tested enough

Page 1-6 #4

- conclusion made by Hill

Page 1-7 #7 would choose different treatment goals

- PAC not included because of cost but could need treatment goals

Page 1-7 #10

- bullet #2 MCA

Page 1-7 #11

- a fourth alternative: running SLP + discharge if it was considered prior to EPT info to Hill but entire gca system had not been defined
 \therefore cost couldn't be gauged for oxidizing to other than potable water
- rejected for several reasons because there are several unknowns & no cost square of the remedy
- other alternatives were discussed @ C meeting shortly after the pilot test was completed ($\sim 3/83$)

Page 1-8 #12 is accurate update to 185 ($\pm \sim 15\%$)

Page 2-1, #5:

- contacted Chem mfg requesting literature & test results on treatment of DTH's effluent conc.

Page 2-5 #3

- refers to Hickok & the Corp
- project review meeting prior to 1st round of bench scale test decided no further PAC testing was appropriate. MHT discusses a full scale system which would be more complex than GAC. "it was dropped from further consideration", GAC was the only one who disagreed

P-2-5 #4

- based upon eng. just, AWAM and for existing plants
- PAC plugging a sewer (Carl Homann has seen evidence of this)
- HIC was not aware of how to avoid the problems of putting PAC directly on the filter beds
- sewer plugging could be avoided w/a continuous flesh but would be costly & still may not work; a clarifier would work but such add'l pieces of equipment would ↑ cost of PAC. rejected
- headloss across the filters & is relation to amount of carbon used
- MHT spoke w/ SPP&CT re: to PAC but not sufficient & they said problems of carbon disposal & that

carbon bed trouble being back washed off the filter. SCP said HD didn't want carbon in its system due to abrasion & plugging. PCA said spent carbon would have to be landfilled.

(11-19-83) Exhibit Activated Carbon Evaluation for H.A. Knobell Treatment Alternatives

- Bith got a copy of this ~ October '84
- ~~passing the GAC was recommended~~
- all alternatives but #2 were considered
- PAC rejected for cost & operational problem
- in plant was often 728 ft^3 upstream of the sand filters

page 2 - GAC does not have severe deposition problems or loss of headloss. ∵ upstream may be preferred although possible backwash &/or sand may get on the carbon which isn't good

page 3: #2: Hill ran Colgan ~~vs~~ carbon & discussed system config & design of them

- pre-engineered systems have a ↑ before backwash rate ∵ ↑ headloss which requires re-pumping compared to the Hill design which saves on the Capital & O&M.

Advantages are not to proven system. Also bad because you couldn't run the carbon as long & you'd have to test more frequently because of not being in series

Page 4 (cost estimate)

- told est cost of \$426,000 does not include yard piping costs for SP10 → 15, 20 process flow diagram to see what's included (no pumps), no carbon tank
 - ∴ if you add this in it would be comparable to the Hill estimate
- then Colmore on a different annual flow rate than 1000 gpm year round
 - don't add other Hill or H's costs.
 - not comparable
- is the Colgan system & cost-effective alternative, 2 columns instead of one meet the same effluent needs but hasn't seen overall diagrams
 - ∴ can't evaluate
- properly operated Colgan's system would be more reliable

Section C, page 7 (PAC Add'l w/ regard by sec P/H's)

- bottom of page: doesn't agree (not clear)
- p. 8 & 2 ⇒ short term test → conclusion results
 - short term PAC test will permit an estimate of carbon life but not an absolute number w/o running the PAC to exhaustion
- last page: PAC cost & second sentence (H agrees)
 - other alternative #4 is similar to the full concept for PAC but looks a lot of specified are different in many places

April 22, 1985
Billy Tar Negotiations
Pre-meeting

1. other laws: incl. off-site release 5/3
2. time of release: upon entry as long as RT complies w/ C.D.
3. other claims: limited to claims → stat. provisions admin by EPA; DO I assessment ~~is~~ was scheduled to be completed on 3/1
4. release + cov. not to sue: omit except thereof
5. financial assurance:
 - write a memo to suggest that EPA investigate the availability + cost of bonds + whether a bond can be obtained when a company's fin. state degrades
- 6.

2891.66 land
100% test
intercept
under 3.00. I don't think this
is a good as other ways to make the initial
tobacco first. At least it's much smaller.
Tobacco 1992 is much easier
and it doesn't seem to have
such a long time for it to grow or smaller.
The 1993 left tobacco at more stems
and the following all disappear by 10
months of age. So it's a shorter & shrivelled
tobacco plant. It appears to be
more fibrous.

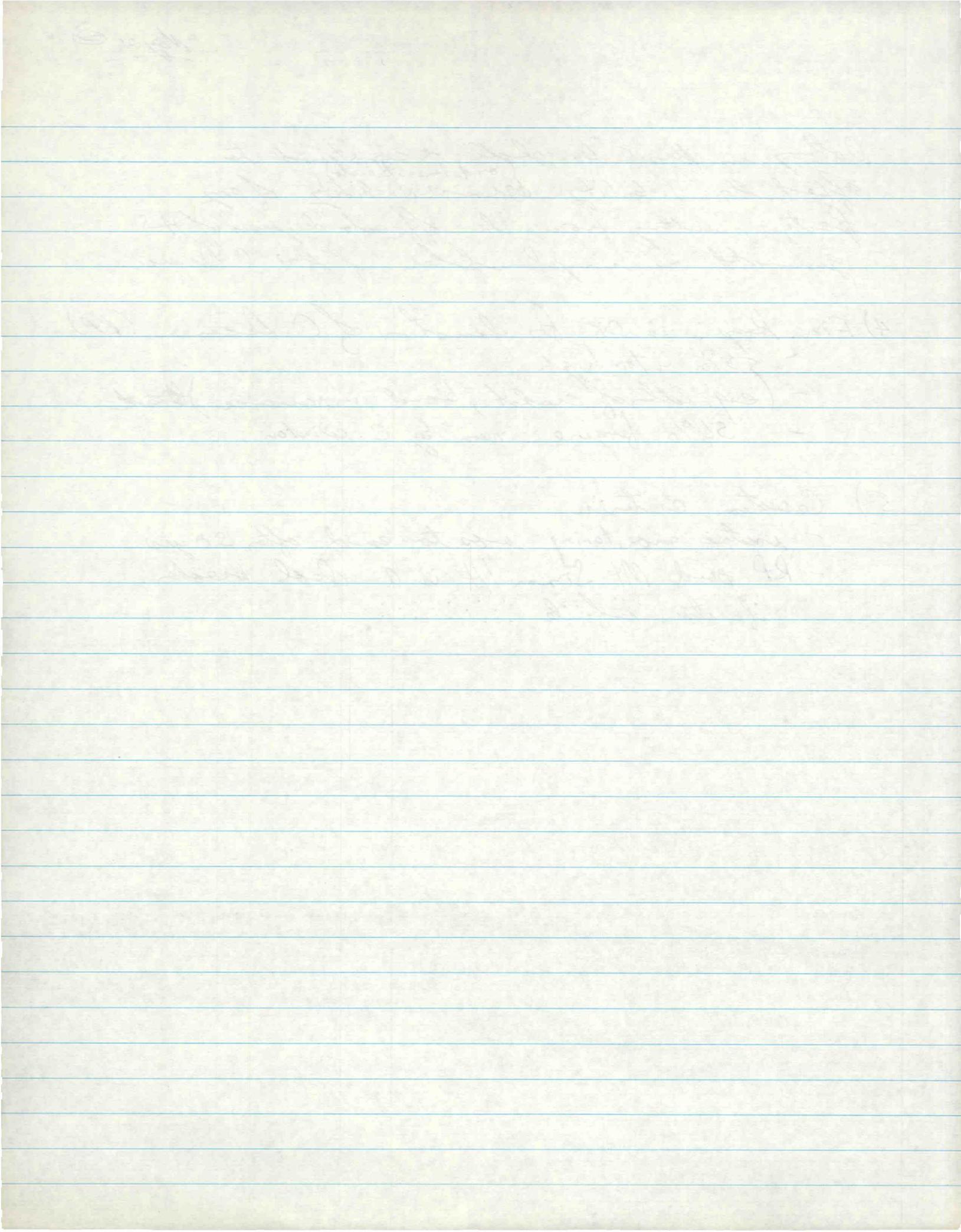
May 21 ☺

Nothing in this C.D. shall be construed to affect the liability ^(or defenses thereto) of any party resulting from its off-site disposal of H.S. generated in implement of the C. Decree.

- 4) Fin. Rep.: is OK for duration of C. Decree (10)
- 50% is too high
- (e.g. lots of credit, bond, insurance) ~~stand~~
- 50% figure: run by C. Clinton

5) Cessation criteria

- nuclear monitoring was to end after 50 yrs
- RF said Mt. Simon/H is a deal breaker if its infinite



- ④ SLP 17 & SLP 18
 - Lesley said OK
 SLP 11, SLP 17 + SLP 18 MHS/H schoolie the Riddle file
- ③ MH. 5:20 / Hackley 3L sunny aft; 90°/morn, 75°/eve
- ② 9.7.2 pre nite
- ① MAC 5 night until 6a by 10/11/85; RT cert
 (4.1.1) + (4.1.2)
- Sept 8/11/85 & morn
 1000ft to top of ridge to the south
 we will expect to find some remains + structures
 just off 10/11/85 w/o foot gear + hammer + appropriate
 equipment to find them

May 21 ①

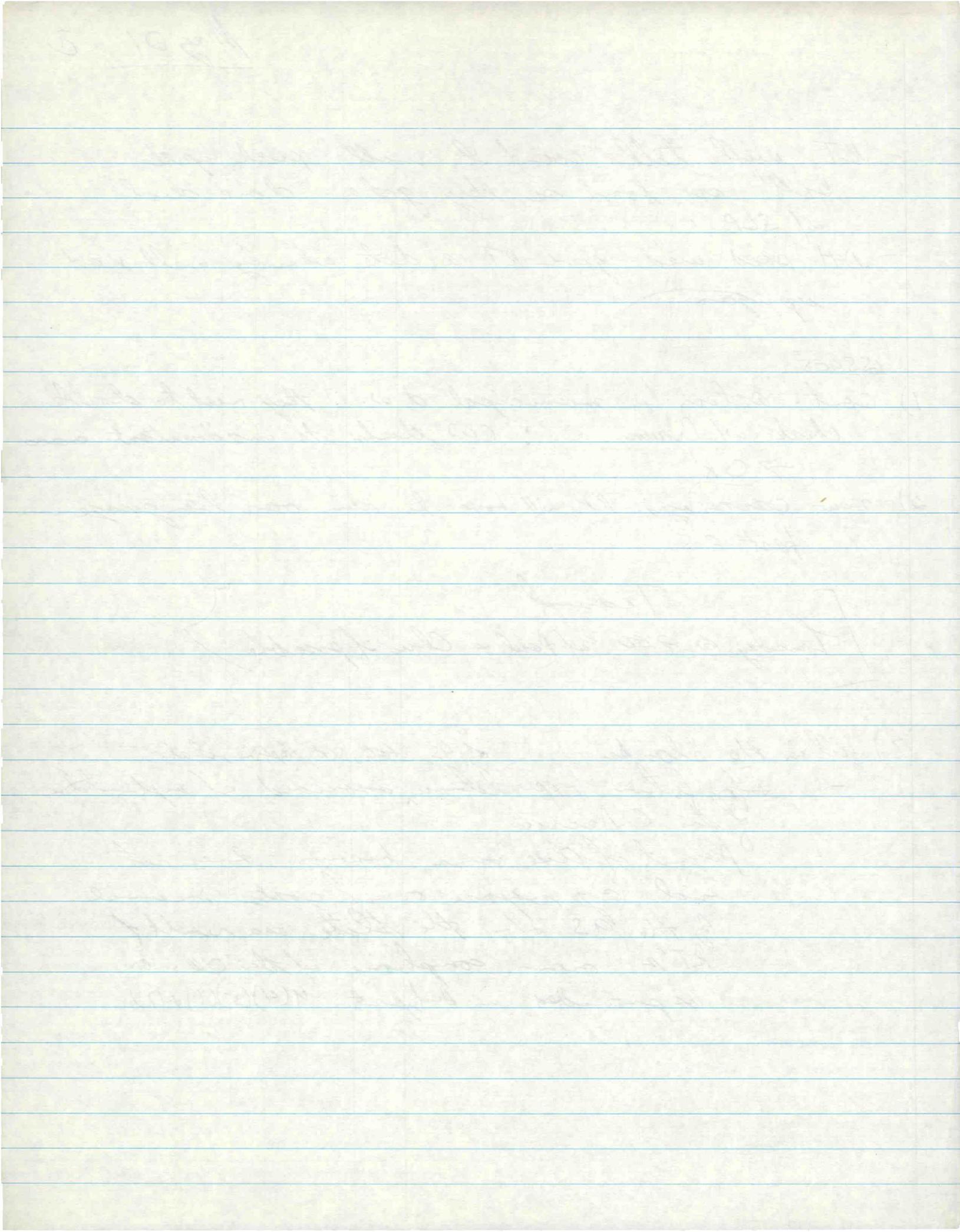
- RT will tell court it will "pick up the ball" as soon as they get a "done deal" w/ SLP
- DT said we'd give RT a date whereby we'll start up again

ISSUES

- 1) cont. action for municipal d.w.: they need to double check w/ Crown ... : CW thinks its inadvertent
→ OK
- 2) new coverages: RP will have to run over language past ES

[Technical
Thursday @ 9:00 w/ Paul & Chris if possible]

- 3) fill in the blanks of 4S, Stat, SLP, AG, etc.
 - for future operations, associated w/ implementation of this C Decree
 - payment of the sums, however, does not include any expense or cost incurred by the AGS &/or the State as a result of RT's non-compliance w/ this C.D. as provided in subparts 4(4)(s)(6) & (7)



yellow house
diagonally opposite the town houses

1307 Mt. Curve Ave
just West of Douglas Ave up the hill

May 1

Reilly Tan

Meeting w/ Lane Winter

Winter suggested that we should be more reasonable since RT is agreeing to the remedy & the state is reasonable. R.T. has agreed to the Mt. Simon/Hinckley well.

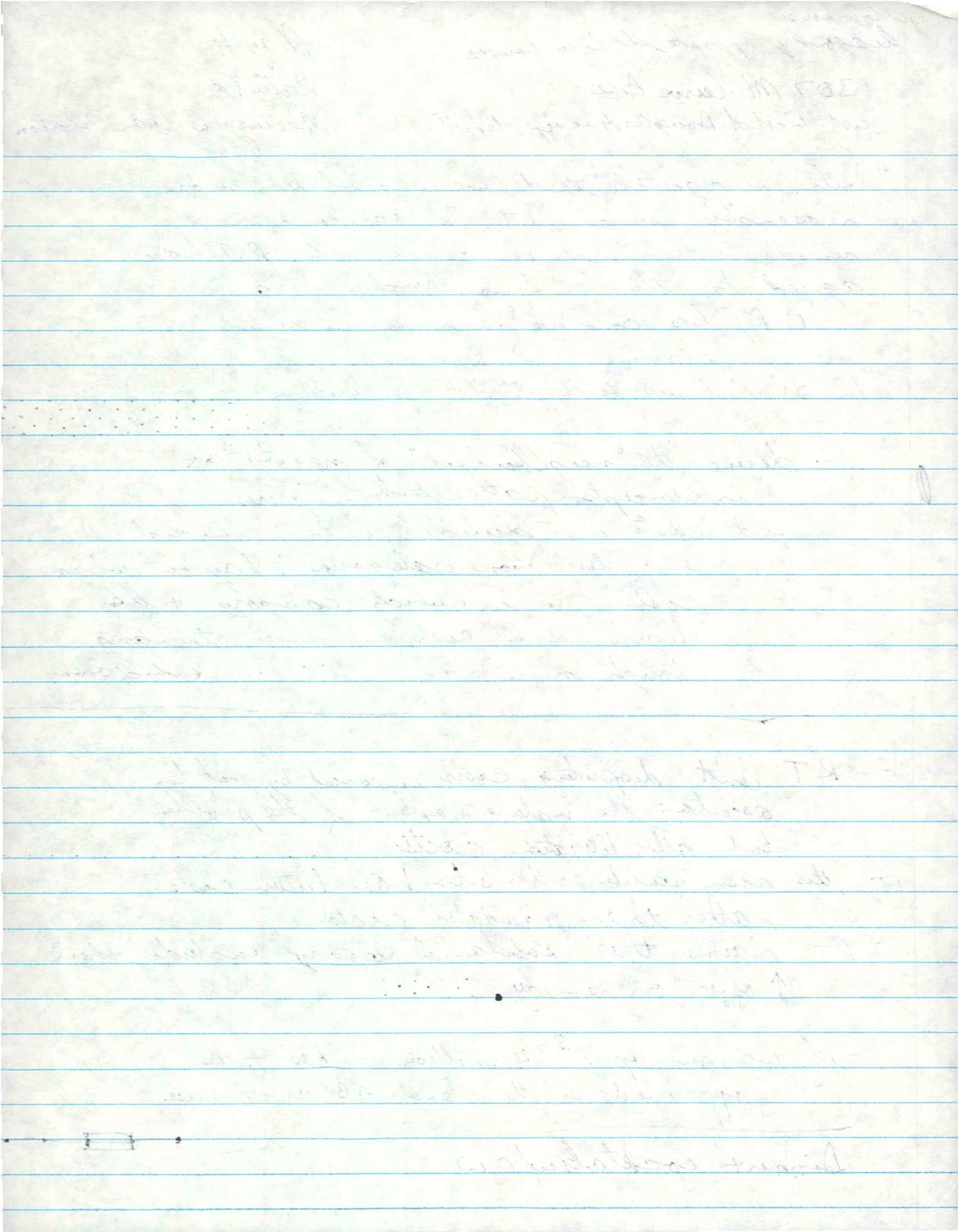
1) RT has come up $\$1\frac{1}{2}$ million in remedy exclusive of MTS/H

2) They will do the MTS/H for 1/4 million

- define the "neighborhood" of negotiations in concepts rather than figures
- fed costs are divided into remedial and litigation categories; lay out which costs are in which category & then figure which costs we want to hang tough on in each category & stick our

-
- RT isn't disputing costs incurred by govt to ascertain the nature & extent of the problem but rather litigation costs
 - this case, unlike other sites has future costs rather than liquidated costs
 - RT claims that "substantial recovery" includes their ↑ offer on remedy.
 - if we give up $>\$3/4$ million it has to be approved by the deputy AG under Neese

Dinner + cocktails w/cw



May 3, 1985
Reilly Tan
Litigation Strategy
DH, EK, GS, EM, BS, BM, CT

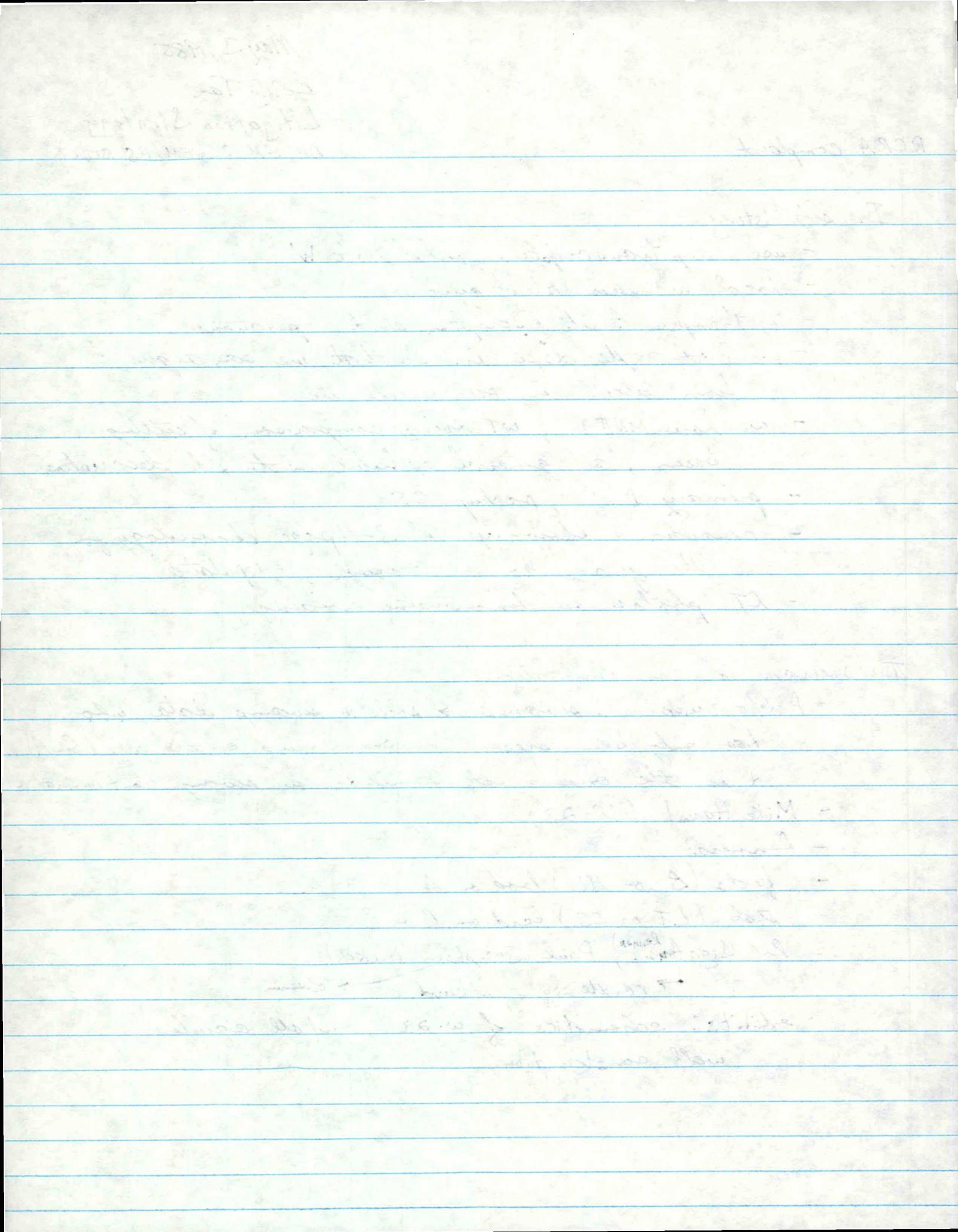
RCRA complaint

I. site history

- use dep transcripts for out of state W
- local witnesses (a few quicker)
- W. Thompson : site description and operations
- we want the depts in so that we can argue from them in our brief, etc.
- we have MN#9, WT doing comparison of settling basin, all general exhibits as to site description
- primary D.C., backup GS
- consider a blow-up of 3-4 page chronology for the judge to go through, stipulated
- RT photos as demonstrative evidence

II sources of contamination

- Pablo Huddleston : swamp → soils + swamp data who has only been present for one boing on the site (GCA) + is the one most familiar w/ swamp contamination
- Mike Hansel (W-23)
- Penners
- feds (BS or GS) lead on A
- state (LT or SS) lead on B or C
- Rod Sigafoos^(Penners), Paul Josephson (Hicksok)
↳ ranting & get buried → observe
- exhibits: schematics of w-23, w/ all aquifers, well construction



- Paul + Chin + Wilkes to briefly show to audience

- DHL Parcels

- BL/SS like below

II The Bonds (Slacks)

...:

L7 .. Wk's.

- tried to handle funds

III

- Paul Alloué (Allutter)

- And + Alex

IV Wealth Effect
David, Dennis + Andrew

- Marc Huot

V Effect of Commodity (SS load)

VI (5) : New RIFs Data

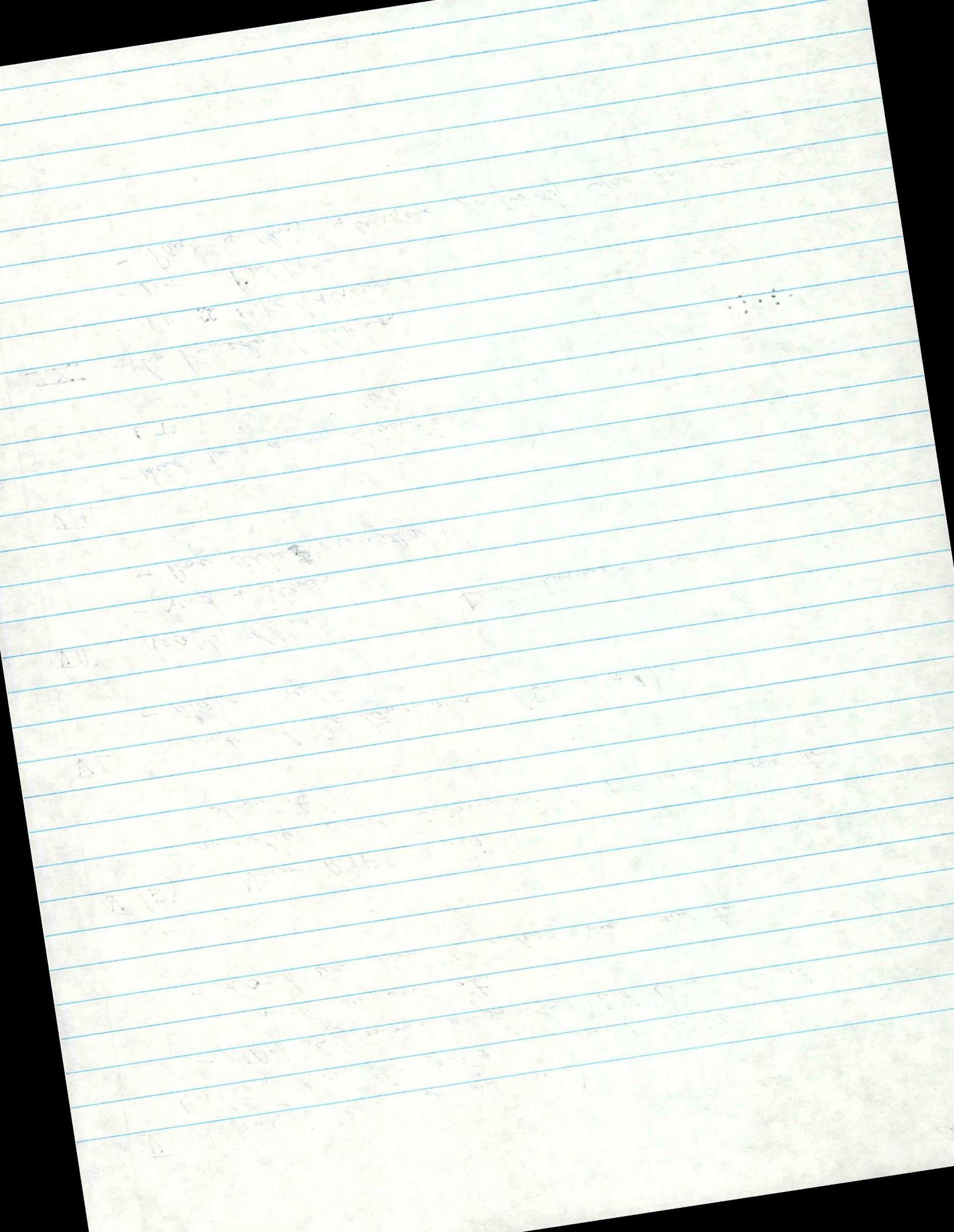
- mostly apply company : RT will have to duplicate

V. Analysis and etc (Not possible)

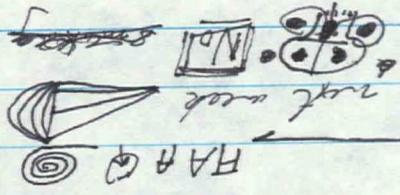
- MDT off many by a pretty but Dennis found

- will support it

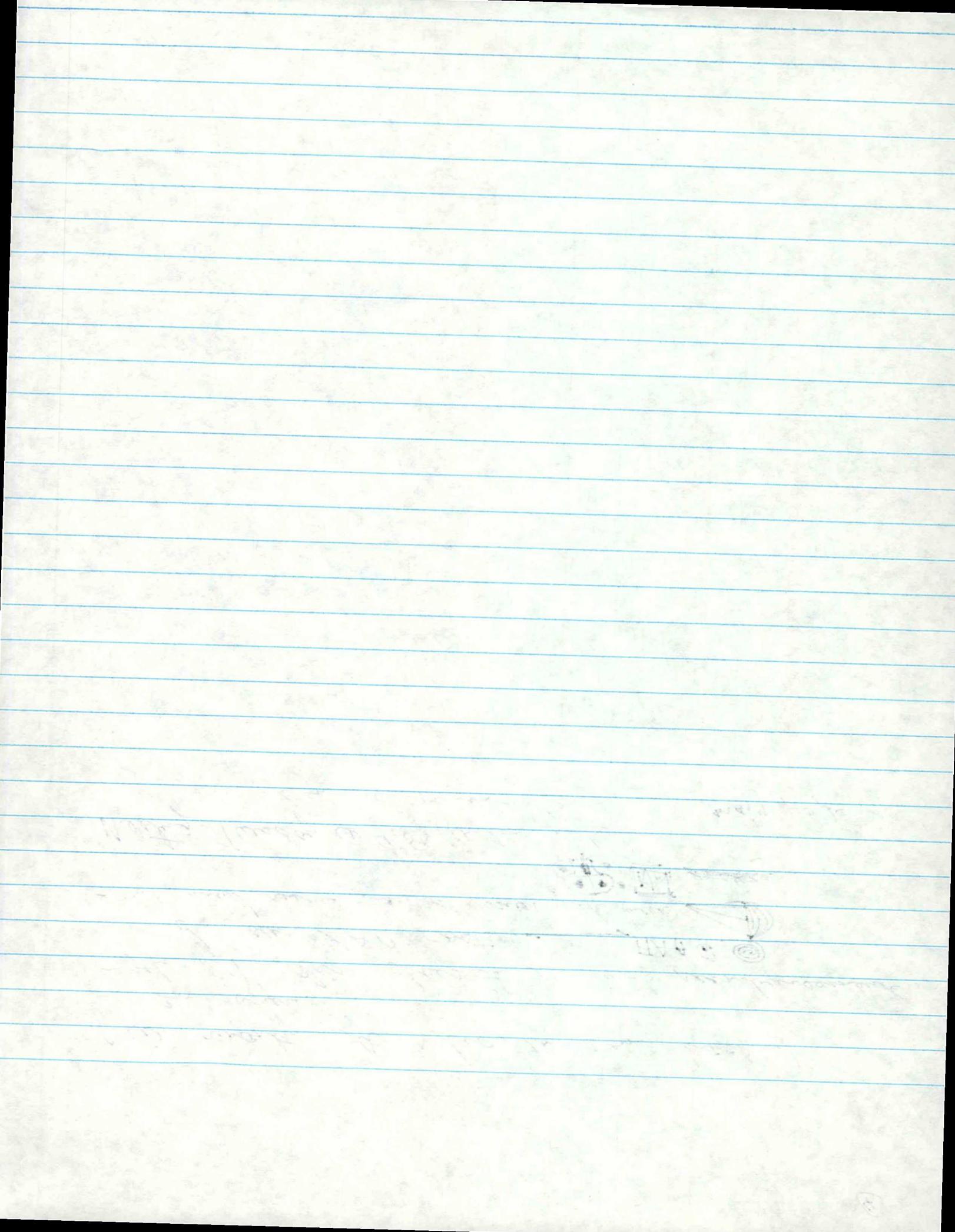
- don't see kind we have we have to



in words the field to some best w/
the effort deal benefit resulted from movement
of our AAC seat → FAAG ()
as often.
we must make the seat cover just right



Mostly Tuesday @ girls studio w/
many people give them a seat-fit



May 2, 1985
Reilly Tar, Day II

8. soil sampling in S area of property
deicer (12,000)
 - other experts (5000 thompson) (Plankuch) (Selk)
- a. Harris post FS, Selkirk,
 - computer program was used to develop

Q: No real duplication by feds except Accurex wh
duplicated original work, but ~ 2 yrs had
taken place, addtl wells were sampled +
a more ~~less~~ sensitive methodology was used
Duplication of Reilly: 5/83 → ERT report came out
+ we re-directed our work to some
extent

- their gov model was done after ours
was started but was finished first

If we have to decide between further depositions
+ further negotiation Magnuson will probably
go w/ the negotiations.

CW returns w/ RT's cost breakdown: He agrees that
"C" is BS

A → remedy = \$1,278,000

→ litigation: USGS because the \$31,615 was found (?)

FTT: RT will explain → NUS was expert control

Noll Lab: RT says it's of 'course we didn't give

889 small
yellow bellied

trapping for small birds along line 8

Habitat (scrubland) cover 80% / shrubs etc -
ditch 2 (2% long marsh)

behavior at nest boxes during trapping

The normal traps were put throughout lines 8 & 9
but suggested that better technique
is to choose a few sites, where there are more
but small feeding areas so more
traps will trigger. Ditch 2 : likely to catch small
birds in ditches as there are few

and also with some Johnson wire fence
fence line, which had shown some

interesting activity, and to check it out in
that area, this particular section of fence
will have all traps

test see fig 2 : good bird traps STG for winter (03)

000 858 11 subspecies A.

(A) good on 201, 125% covered 222% : caught 7

birds (there are 201 + 125 = 326) : 100%
caught in 201 and 125% of 326 = 100% of 326 = 100%

Then the date : it becomes difficult to make out
the date when the numbers & month are mixed up
and the month is unpredictable to RTI
Under Marginal Rule CU will be in answer
and then RTI
and then RTI
- we shall get some information left out
if more care is taken carefully
- which said about the poor foot traffic
they could have said it effectively
he said like a person on board on a ship

RTI : Marginal Rule off
RTI (8) (8) (8)
then the date ; it becomes difficult to make out

to my best friend +
- That my good boy is off
- I am so happy for him

himself + his
- And you all the time
- I am so happy for him

(8) At the end of the letter, it says
the 1st year of the new school year



377-5995

- 1) 2.3 is on the table but actual costs are 2.5
 - half remedy / half litigation
- 2) our mgt. still thinks attorney fees are recoverable
- 3) our bottom line has been very close to our past successes which is why it's been difficult for us to come down since RT has held firm on their low offer
- 4) our mgt has given us authority to go lower but that's it
- 5) we ^{are prepared to} could make a counter-offer to RT
- 6) our first inclination is to come down just a small amount because RT has been so intransigent
- 6) RT wants to settle this week

Conference call:

- SLiP
- \$2.4 million so far
 - \$100,000 is poorly documented (REM)(EIT)(USGS)
early costs
 - \$330,000 DOJ (\$50,000 tech consultants)
 - \$205,000 (payroll + travel)
 - total of $\frac{100,000}{\$640,000} \rightarrow \1.76 million

Greene: open w/ \$1.8 million
bottom line of \$1.6 million

Gode: acceptable for both tech + legal
(Morr, Nagel, Niederges)

2899-558

2699-558
Ans to 1st H. a. S. C. A.

Ans.

Ans to 1st H. a. S. C. A.

- (S) Out APP. Loans - additions are OK
- (a) Add extra A's
- Duration, Below frequency, Ad. Prol. E, G, H, L.
- down auto: PT will come up w/ U.S. GS would do "partly"
- Accrued to 11/1. Credit 5/14
- F: n. Reg
Assort
Received answer:
- sch, reg, use, a. Reg
- III Negotiations, Log III
Early in
April 24, 1985
- Postage: timing of release - off completion of all capital projects is difficult to define
- glucose issue - Et. A in part - partly issues
- recall in re: Jefhus

222 222 222

H
89 89 89 89
89 89 89 89

Yankee 222 222

222 222 222

222 222 222
222 222 222
222 222 222

222 222 222

222 222 222
222 222 222
222 222 222

222 222 222

222 222 222
222 222 222
222 222 222

222 222 222

222 222 222
222 222 222
222 222 222

222 222 222

222 222 222
222 222 222
222 222 222

222 222 222

222 222 222
222 222 222
222 222 222

222 222 222

222 222 222
222 222 222
222 222 222

222 222 222

222 222 222
222 222 222
222 222 222

222 222 222

222 222 222
222 222 222
222 222 222

4/08/08
Early To
Soy \$4

Definitive Issues + Release Language

Release Logency

- 1) leave 1+2 in room to
- 2) put #3 in new 6(c)
- 3) 5+6 same lang.
- 4)

1982

Billy Torn
Day 4 Negotiations
\$

ED, DH, SC, RP

Alice Winton

- fed claims are substantial + we need to close the gap between the offer + demand
- discussions ought to proceed w/ give + take + not immovable positions. he suggests mediation
- RT suggested ::::: meeting in D.C. :::::::

1) Winton met w/ RT + is now back w/ us
RT said:

- over the yrs RT's attitude changed + were great + very worth having re: ready they want fairness in \$
- RT estimates \$11 million over the 30 yrs.
- they'll accept any fair + reasonable settlement
- what are feds needs in \$ + in method of payment; what is feds present demand;
- SF eng expenses aren't covered but they may pay some of f costs to avoid trial
- 2 gw models (depiction of CRT + USGS)

2) EDA response

- overview of SF
- terms of payment: interest plus over 3 yrs rather than 5 yrs

5) 803

268

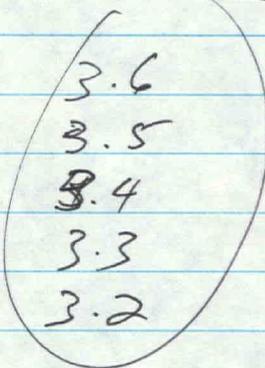
3) CW returns

- RT 1^o concern is to settle ASAP
but they need a ballpark figure
- EDA says it can't spend >\$1 billion/yr.
∴ RT can't really impair but what's
more important

\$3.6

\$3.1

\$1.5



8

With these it is normal of the
newly hatched larvae with two
scutellum & three legs of age 493 -

2.7

2.8

4.8

5.5

5.8

Environ Chem Matrix

April 26, 1985

Stability Session

(KV, JSR, MG)
KS, HK, RS)

PEL → MOTTS wine

KV → waste drums

JS → cost rec. docs.

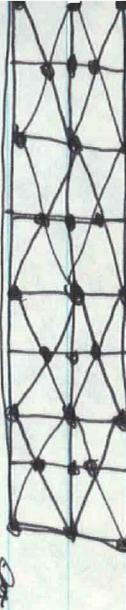
Tasks

1. Request to cost accountants evidence
- cost recovery doc.
- manual explain it all out + says no. council
- Donsey went to Lureco

10/10/84

PEL memo 1/1/85

- Last SEC → SSEC
- says cost book



(3) Lur: cost accountants

- complaint letter
- transcribed analysis
- (4) likely criteria for new database

(5) D + B's

(6) Sampling data

PEL budget audit

- (7) Log books
- go off those w/ A/T